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OF THE MOUNT DIABLO UNIFIED SCHOOL
DISTRICT

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

RICHARD HEYER,
Plaintiff,

vs.

GOVERNING BOARD OF THE MOUNT
DIABLO UNIFIED SCHOOL DISTRICT,
Defendant.

CASE NO. CV10-4525-MMC

**JOINT STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING CASE
MANAGEMENT CONFERENCE**

**SUBJECT TO THE APPROVAL OF THIS COURT, THE PARTIES HEREBY
STIPULATE TO THE FOLLOWING:**

1. On or about May 13, 2011, plaintiff Richard Heyer ("Plaintiff") served his Third Amended Complaint on defendant Governing Board of the Mount Diablo Unified School District ("Defendant").

2. On or about May 17, 2011, Defendant's counsel informed Plaintiff's counsel of Defendant's intention to file a motion to dismiss Plaintiff's Third Amended Complaint.

3. The parties stipulate to continue the case management conference, currently scheduled for May 27, 2011, and all respective ADR and Rule 26 deadlines, pending the outcome

1 of the hearing on Defendant's motion to dismiss Plaintiff's Third Amended Complaint.

2 **SO STIPULATED.**

3 DATED: May 17, 2011.

Respectfully submitted,

4 FAGEN FRIEDMAN & FULFROST, LLP

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6 By: /s/ Joshua A. Stevens

7 Joshua A. Stevens

8 Attorneys for Defendant GOVERNING BOARD
OF THE MOUNT DIABLO UNIFIED SCHOOL
DISTRICT

9 DATED: May 17, 2011.

Respectfully submitted,

10 LAW OFFICES OF CURTIS G. OLER

11
12 By: /s/ Curtis G. Oler

13 Curtis G. Oler


14 Attorney for Plaintiff RICHARD HEYER

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~~**PROPOSED**~~ ORDER

IT IS HEREBY ORDERED, pursuant to the above Stipulation of the parties, that the case is continued to July 29, 2011 management conference, currently scheduled for May 27, 2011, and all respective ADR and Rule 26 deadlines, are continued ^{likewise} ~~pending the outcome of the hearing on Defendants' motion to dismiss Plaintiff's Third Amended Complaint.~~

DATED: May 20, 2011


Hon. Maxine M. Chesney
UNITED STATES DISTRICT JUDGE

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